

REMARKS

I. Introduction

Claims 1-12, 19, 21, and 23-25 are pending in the application. In the Office Action dated January 23, 2006, the Examiner rejected claims 1-5, 19 and 21 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,442,391 ("Johansson") in view of U.S. Pat. No. 6,675,017 ("Zellner"). Further, claims 6-12 and 23-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,138,003 ("Kingdon") in view of Johansson. In this Amendment, claims 1, 19, and 21 have been amended. Applicant respectfully request reconsideration of the claims and withdrawal of the rejections in light of the amendments to the claims and the following remarks.

II. It is Improper to Combine Johansson and Zellner

Due to the fact Johansson and Zellner teach away from their combination as contemplated by the Examiner, the proposed combination of Johansson and Zellner does not render claims 1-5, 19, and 21 unpatentable. Applicant has amended claims 1, 19, and 21 to clarify the claims and make explicit what was implicit in the claims that the action of allowing a remote source to know either an identity or a location of a wireless communication device occurs while the action of prohibiting the remote source from knowing both the identity and location of the wireless communication device occurs. Claims 1, 19, and 21 were not amended for patentability.

In the Office Action dated January 23, 2006, the Examiner asserted that Johansson discloses allowing a remote source to know either an identity or a location of a wireless device and that Zellner discloses prohibiting the remote source from knowing both the identity and location of the wireless communication device. Johansson is directed to a system for prohibiting unauthorized users from determining a location of a mobile device. Generally, Johansson discloses a remote source knowing a location of a mobile device when the mobile device is set to permit others to receive the location of the mobile device. Thus, for the remote source to know a location of the mobile device, the mobile device cannot block the location of the mobile device to others.

Zellner is directed to a system that provides a location blocking service for use in a wireless network. In the portion of Zellner cited by the Examiner, Zeller discloses that

a network user may block both an identifier and a location of a wireless device so that neither the identifier nor the location of the wireless device is disclosed. (Col. 8, lines 60-62). If Johansson and Zellner were combined and Zeller served to block both an identifier and a location of the wireless device, the Johansson system would not be able to operate to let a remote source know a location of the mobile device.

If a proposed modification to prior art would change the principle of operation of the prior art invention being modified, then the teachings of the prior art are not sufficient to render the current claims obvious. MPEP § 2143.01. Due to the fact the Johansson system cannot allow a remote source to know a location of a mobile device while the Zellner system blocks both an identifier and a location of the mobile device, Johansson and Zellner cannot be combined as contemplated by the Examiner to render claims 1-5, 19, and 21 unpatentable. For at least this reason, Applicant respectfully request reconsideration and withdrawal of the rejection of claims 1-5, 19, and 21 under 35 U.S.C. § 103(a).

III. The Proposed Combination of Kingdon and Johansson Does Not Render Independent Claims 1, 23, and 25 Unpatentable

The Examiner rejected claims 6-12 and 23-25 as being unpatentable over Kingdon in view of Johansson. Like Johansson, Kingdon does not disclose or suggest ***prohibiting a device from knowing both an identifier and a location of a wireless communications device.***

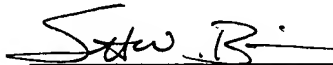
To establish a prima facie case of obviousness, a proposed combination of references must teach or suggest each and every limitation of a claim. (See MPEP § 2142). The Examiner has admitted, "Johanson never mentions or disclose prohibiting a device from knowing **both an identifier and a location** of a wireless communication device." (See Office Action dated Sept. 20, 2005, pages 3). Like Johansson, Kingdon discloses a system for protecting **a location** of the mobile terminal only. Kingdon is directed to a telecommunications system that performs authorization checks prior to allowing a location service to position a mobile terminal within a cellular network. Kingdon does not disclose or suggest protecting **an identity** of the mobile terminal, let alone a method or system that ***prohibits a device from knowing both a location and an identify of a mobile terminal*** as in the currently-claimed invention.

Due to the fact neither Johansson or Kingdon disclose or suggest a method or system that ***prohibits a device from knowing both a location and an identify of a mobile terminal*** as recited in independent claims 1, 23, and 25, any combination of Johansson and Kingdon necessarily cannot render independent claims 1, 23, and 25, or any claims that are dependent on independent claims 1, 23, and 25, unpatenable. Applicants respectfully request withdrawal of the rejection to claims 6-12 and 23-25.

IV. CONCLUSION

In view of the foregoing amendments to the claims and remarks, Applicant submits that the pending claims are in condition for allowance. Reconsideration is therefore respectfully requested. If there are any questions concerning this Response, the Examiner is asked to phone the undersigned attorney at (312) 321-4200.

Respectfully submitted,



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